

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1097

ARTHUR HARRY NORTHRUP, JR.,

Plaintiff - Appellant,

v.

B. L. ALBERT; M. JASON GOUDELOCK,

Defendants - Appellees.

Appeal from the United States District Court for the Western
District of North Carolina, at Statesville. Richard L.
Voorhees, District Judge. (5:09-cv-00041-RLV-DCK)

Submitted: May 8, 2012

Decided: May 16, 2012

Before DUNCAN, AGEE, and WYNN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Arthur Harry Northrup, Jr., Appellant Pro Se. Hal F. Askins,
NORTH CAROLINA DEPARTMENT OF JUSTICE, Raleigh, North Carolina;
Patrick Houghton Flanagan, Marsha Janelle Lyons, CRANFILL,
SUMNER & HARTZOG, LLP, Charlotte, North Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Arthur Harry Northrup, Jr., seeks to appeal the district court's order granting Defendants' motions for summary judgment in Northrup's civil rights action. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded thirty days after the entry of the district court's final judgment or order to note an appeal, Fed. R. App. P. 4(a)(1)(A), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5), or reopens the appeal period under Fed. R. App. P. 4(a)(6). "[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." Bowles v. Russell, 551 U.S. 205, 214 (2007).

The district court's order was entered on the docket on December 20, 2011. Accordingly, the latest day for filing a timely notice of appeal was Thursday, January 19, 2012. See Fed. R. App. P. 26(a)(1). Northrup's notice of appeal, however, was not received for filing until Friday, January 20, 2012. Because Northrup failed to file a timely notice of appeal or to obtain an extension or reopening of the appeal period, we are constrained to dismiss the appeal as untimely. We also deny leave to proceed on appeal in forma pauperis. We dispense with oral argument because the facts and legal contentions are

adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED